REMARKS

Claims 1 and 3-6 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1 and 3-6 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Stanley et al. (U.S. Pub. No. 2002/0156756) in view of Allen et al. (U.S. Pub. No. 2002/0068269). This rejection is respectfully traversed.

Independent claim 1 is drawn to a life sciences laboratory system. The system includes, among other features, at least one networked computer system, a catalog of life sciences related assay kits, a purchasing subsystem, and a workflow system operable to allow the user to prescribe and track the performance of a series of steps associated with the user's life sciences research. Paragraphs [0008]-[0012]. In particular, the workflow system does more than just log or track the user's research. The workflow system allows the user to prescribe a series of steps associated with the user's life sciences research. The user is therefore selecting and establishing the direction of the user's life sciences research with the workflow system; i.e., definition of prescribe: (verb) 1. to establish rules, laws, or directions. Paragraphs [0082], [0083]. As such, the presently claimed workflow system operates on input and direction from the user; e.g., based on a planned course of experiments.

An example of operation of the workflow system is illustrated in Figure 21 of the present application. The workflow system may include one or more stages, where two workflow stages 550 and 552 are shown in the figure. Paragraph [0082]. Each stage may be implemented as a software object or component having a list of steps to be performed or rules to be applied, 554 and 556. Paragraph [0082]. Data members 558 may be loaded or processed from a data store 566 or remote data store 562 according to the series of steps in the workflow. Paragraph [0085]. The series of steps may also include accessing an external instrument 564 to receive data that is processed and stored in the data store 558. Paragraph [0085]. Where multiple stages exist (e.g., 550 and 552), each including a series of steps, the stages may be connected by linking

variables (arrows a, b, and c) as required for a particular workflow prescribed by the user. These individual workflow stages may stand alone or be linked together and the associated series of steps or rules can be edited or modified by the user. Paragraph [0086]. It is therefore clear from the specification, including the example in Figure 21, that the presently claimed workflow system is operable to act on input by the user, where specifically the user prescribes a series of steps associated with the user's life sciences research.

Other examples of workflows are illustrated in Figures 7A, 7B, and 8 and paragraphs [0052]-[0050].

The present rejection based on the combination of Stanley in view of Allen cannot establish a case of obviousness as the combined teachings fail to include a workflow system as found in present claim 1. The rejection analogizes the status management component of Stanley as allegedly equivalent to the present workflow system. Office Action dated April 10, 2008 page 4, lines 2-7. However, the status management component simply records or logs user activity; the Stanley reference is silent regarding a workflow system operable to allow the user *to prescribe* and track the performance of a series of steps. As the combination of Stanley and Allen fails to include all of the features of claim 1, the present claims are not obvious.

A thorough reading of the Stanley reference fails to identify any instance where the status management component (SMC) 208 is operable to allow the user to prescribe a series of steps associated with the user's life sciences research. The Intelligent Molecular Object (IMO) 200 software, which includes the SMC 208, is directed to user presentation, accessing, routing and functionally integrated processing of life science data; e.g., gene, protein, and structure data. Stanley abstract; Fig. 4. The SMC provides methods for data status validation, logging, use-tracking, auditing, synchronization, rollback enabled by the command history and non-destructive vector processing, and other state management and alerting protocols. Stanley paragraph [0040]. The status management component communicates with an external object state engine (OSE) 212 component to monitor data integrity and to record the command history, and further includes detailed activity logging, such as data acquisition state, calibration information, applied transformation or analysis processes, local and remote

access attempts, access permission and denial, data integrity alerts, ranking status and regulatory validation states. Stanley paragraphs [0040] and [0087]. Notably, none of these monitoring, recording, or logging features involves a user prescribing a series of steps associated with the user's life sciences research, for example, where the user is selecting and establishing the direction of the user's life sciences research within the workflow system.

Stanley Figure 2 further illustrates an embodiment of the SMC report. Shown are the object state, date, time, and user for each object history. Paragraphs [0087], [0106], [0126]; Table 1. The interface lacks any means for a user to prescribe a series of steps associated with the user's life sciences research and instead simply provides a history log of events or objects. The embodiment illustrated in Stanley Example 3 confirms the role of the SMC; the example uses a hierarchical tree-style lookup table (LUT) for state assignment; i.e., assembling and generating a log.

The Office Action at page 7, line 10 further alleges that the Object Access Manager (OAM) 1036 reads on the presently claimed workflow system. However, the OAM 1036 appears to be an automated system that determines relevant property panes and selectively directs their content for functional presentation and access within a given application or database environment. Paragraphs [0133], [0148], [0149], and Table 2. The OAM interacts with external object translation engines to detect, define and address required and/or available data sources and to direct access and routing requests for specific data content to linked applications and/or databases and to functionally integrate data content with a variety of applications. Paragraph [0133]. Therefore, it seems that the OAM 1036 simply provides algorithms to allow for integration of applications and inter-application communication, thereby acting as a translator dependant on data content attributes. Paragraph [0149] and Table 2-Content Attribute List. There is no disclosure relating to a workflow system where a user prescribes and tracks the performance of a series of steps associated with the user's life sciences research, as found in present claim 1.

If the Examiner is intending different interpretations or is further modifying the SMC or OAM of Stanley, Applicants respectfully request further clarification of how Stanley is being applied in either instance to present claim 1. See *In re Kahn*, 441 F3d

977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) (obviousness cannot be sustained by conclusory statements, there must be some articulated reasoning to support obviousness). As currently presented, these aspects of Stanley are inadequate to teach the workflow system of claim 1.

Finally, the Office Action at page 7, line 14 also alleges that Stanley paragraph [0133] teaches the presently claimed workflow system. Paragraph [0133] describes a meta-data (i.e., data about data) index property pane (MDX) 1022 (see Stanley Fig. 4) that enables user viewing and customization of object meta-data definitions for optimized query processing. As disclosed, meta-data information includes specific data functionality, content attributes and relationships to other data derived from a variety of statistical comparisons such as clustering and self-organizing maps, as well as from query histories and other user-based information, in order to predefine searching and analysis of Intelligent Objects (IMO) 200. Thus, it appears that the MDX allows a user to customize definitions, but notably, the MDX relates to processing data queries and is not related to prescribing and tracking the performance of a series of steps associated with the user's life sciences research. The MDX is not used to direct the user's research but simply to connect data content using definitions.

In sum, combination of the primary reference Stanley in view of Allen fails to teach or provide an apparent reason to include the workflow system of claim 1. Likewise, no reason based on the general knowledge in the art is provided to base modification of the references to include the missing subject matter. Accordingly, Applicants respectfully request reconsideration of the claims and withdrawal of the rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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